IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTY NINETH DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT

**THE HON'BLE Mr. JUSTICE BILAL NAZKI**

**and**
**THE HON'BLE Mr. JUSTICE S.ANANDA REDDY**

**WRIT PETITION NO : 13300 of 2004**

Between:

M/s. Sri Radhakrishna Timber Depot, Chuttugunta, Vijayawada -4, Krishna District, Rep. by its Authorised Signatory, Mr. Challakolusu Kondala Rao.

**..... PETITIONER**

AND

1.Additional Commissioner, Commerical Taxes, (Legal),
Office of Commissioner of Commercial Taxes, M.J. Road, Nampally, Andhra Pradesh, Hyderabad.
2. Commercial Tax Officer, Suryaraopet Circle, Vijayawada.

**.....RESPONDENTS**

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue Writ of Certiorari or any other appropriate Writ or Order or Direction calling for the records of the 1st Respondent dt. 21-4-2004 in Commissioner of Commercial Taxes Ref.No.LV(2)/2322/03 and quash the same as arbitrary, contrary to law and against the weight of evidence and probabilities of the Petitioner's case and consequently grant stay of collection of disputed tax of Rs.2,49,124/- for the assessment year 1997-98 pending disposal of the appeal before the Sales Tax

Appellate Tribunal in T.A.No.1414/2003.

**Counsel for the Petitioner: Mr.SHAIK JEELANI BASHA**

**Counsel for the Respondents: GP for Commercial Taxes.**

**The Court made the following :**

**ORAL ORDER:**

(per The Honourable Sri Justice BILAL NAZKI)

The authorities concerned have already granted stay subject to payment of 50 per cent of the tax liability. We do not find any ground to interfere in the matter. However, the petitioner seeks some more time to deposit the amount. Four weeks time from today is granted. The Writ Petition is disposed of accordingly. No costs.

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BILAL NAZKI, J.

29.7.2004.

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S.ANANDA REDDY, J.

VR

To

1. The Additional Commissioner, Commerical Taxes, (Legal),
Office of Commissioner of Commercial Taxes, M.J. Road, Nampally, Andhra Pradesh, Hyderabad.
2. The Commercial Tax Officer, Suryaraopet Circle, Vijayawada.

3. Two CCs to the Govt. Pleader for Commercial Taxes, High Court Buildings, Hyderabad. (OUT)

4. Two CD copies.